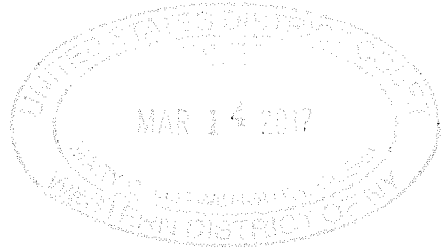


UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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PS

MICHAEL C. DOLLISON,

Petitioner,

v.

NASSAU COUNTY,

Respondent.

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**ORDER**

1:17-CV-00161 EAW

Petitioner Michael C. Dollison ("Petitioner"), currently on parole, has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Dkt. 1).

The filing fee for a petition for writ of habeas corpus is \$5.00. 28 U.S.C. § 1914(a). Whenever a prisoner submits a petition for writ of habeas he must either: (1) pay the filing fee; or (2) submit a motion to proceed *in forma pauperis* that, pursuant to 28 U.S.C. § 1915(a)(1) and Rule 3(a)(2) of the Rules Governing Section 2254 Cases, includes: (a) an affidavit or affirmation setting forth information that establishes that the petitioner is unable to pay the fees and costs for the proceedings; and, if applicable, (b) a Prison Certification Section completed and signed by an authorized officer of the institution in which the prisoner is incarcerated.

Petitioner did not prepay the \$5.00 filing fee nor did he submit a motion to proceed *in forma pauperis*. In light of Petitioner's release from custody, he does not need to submit a completed and signed Prison Certification Section.

**ORDER**

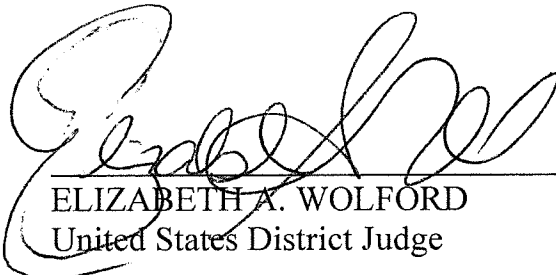
For the reasons set forth above, IT IS HEREBY ORDERED that the Clerk of Court is directed to administratively terminate this action without prejudice without filing the Petition or assessing a filing fee;

FURTHER, that the Clerk of Court is directed to send to Petitioner a form motion to proceed *in forma pauperis*;

FURTHER, that if Petitioner wishes to re-open this action, he shall so notify the Court, in writing, no later than **thirty days from the date of this Order**; Petitioner's writing shall include either a motion to proceed *in forma pauperis*, or the \$5.00 filing fee;

FURTHER, that upon the Petitioner's submission of a motion to proceed *in forma pauperis*, or the \$5.00 filing fee, the Clerk of Court shall re-open this case.

SO ORDERED.



ELIZABETH A. WOLFORD  
United States District Judge

Dated: March 14, 2017  
Rochester, New York